

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Order Instituting Investigation and Order to Show Cause on the Commission's own motion into the operations and practices of Mr. Move Moving & Storage, Inc., a California corporation, doing business as Load Rock N Roll Moving and Storage, Right Now Moving and Storage, Same Day Moving, Short Notice Moving and Storage, A All-American Relocation, Load Lock N Roll, Long Beach Security Storage, Mister Move, and its president, Eli Galam.

Investigation 05-04-019  
(Filed April 21, 2005)

**ASSIGNED COMMISSIONER'S AND ADMINISTRATIVE LAW JUDGE'S  
RULING AND SCOPING MEMO**

In accordance with Rule 6.3 of the Commission's Rules of Practice and Procedure (Rules), this scoping memo designates the presiding officer and sets forth the procedural schedule.

**Background**

On April 21, 2005, the Commission opened this investigation to determine expeditiously whether respondents have violated the laws and regulations that govern household goods carriers. Should such violations be proven, appropriate sanctions, including revocation of the household goods carrier permit, will be determined and imposed. As set forth in the Commission's decision, staff has conducted a thorough investigation of respondents' operations, including regulatory and legal history. Staff specified 20 violations of the Public Utilities

Code and our regulations, most with multiple counts. These include allegations of holding goods hostage, charging in excess of verbal estimate, and failing to have required insurance.

A prehearing conference was held on June 24, 2005. At the prehearing conference, Staff indicated that they possessed evidence that respondents had violated a September 10, 2004, Stipulation to Sentencing Order entered in Los Angeles County Superior Court. Staff agreed to provide copies of the evidence to respondents' counsel on an expedited schedule. Staff also stated that they intended to convey the information to the Los Angeles City Attorney's office, which brought the charges that led to the Stipulation. The assigned Administrative Law Judge directed the parties to keep her informed of any developments in the Superior Court case.

A procedural schedule for this proceeding was also set at the prehearing conference.

### **Designation of Presiding Officer**

The assigned Administrative Law Judge, Maribeth A. Bushey, is designated the presiding officer.

### **Ex Parte Prohibition**

This proceeding has been categorized as adjudicatory, as that term is defined in Rule 5(b). The Commission's ex parte rule applicable to adjudicatory proceedings is set forth in Rule 7(b), which prohibits all ex parte communications. This ex parte rule applies to all parties of record and, more broadly, to all persons with an interest in any substantive matter; the broad category of individuals subject to our ex parte rules is defined in § 1701.1(c)(4) and Rule 5(h).

### **Scope of the Proceeding**

Issues for hearing in this proceeding include a determination of whether respondents have violated the Public Utilities Code and Commission regulations, as alleged by Staff, and, if so, what are the appropriate sanctions for such violations.

### **Procedural Schedule**

The following schedule is adopted:

Staff Serve Supplemental Testimony	July 29, 2005
Respondents Serve Testimony	August 26, 2005
Staff Serve Rebuttal Testimony	September 9, 2005
Evidentiary Hearings, Los Angeles	September 19 –21, 2005 320 West 4 <sup>th</sup> Street, Suite 500 Los Angeles, CA 90013
Projected Submission date	November 21, 2005

### **IT IS SO RULED.**

Dated July 11, 2005, at San Francisco, California.

/s/ MICHAEL R. PEEVEY  
Michael R. Peevey  
Assigned Commissioner

/s/ MARIBETH A. BUSHEY  
Maribeth A. Bushey  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail, and by electronic mail to the parties for whom an electronic mail address has been provided, this day served a true copy of the original attached Assigned Commissioner's and Administrative Law Judge's Ruling and Scoping Memo on all parties of record in this proceeding or their attorneys of record.

Dated July 11, 2005, at San Francisco, California.

/s/ FANNIE SID

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Fannie Sid

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074,

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TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.